

REMARKS/ARGUMENTS

In the Office Action mailed June 10, 2009, claims 1-12 were rejected. Additionally, the drawings were objected to. In response, Applicants hereby request reconsideration of the application in view of the amendments and the below-provided remarks. No claims are amended, added, or canceled.

Objections to the Drawings

The Office Action objects to the drawings under 37 C.F.R. § 1.83(a). In particular, the Office Action states:

The drawings must show every feature of the invention specified in the claims. Therefore, the claimed features “wherein in a starting position of the module connecting plates, the shapes of the plate surfaces of the module connecting plates result in a particular plate pattern and differ such that when, starting from the starting position, all the module connecting plates are jointly rotated around an axis that runs perpendicular in relation to the plate surfaces and that passes through the mid-point the same plate pattern always results after joint rotation around 180° in each case” must be shown or feature(s) canceled from the claim(s).

Office Action, 6/10/09, page 2.

Applicants submit that the indicated language of the claim is shown in the drawings. For reference, the indicated language relates generally to the shape of the plate surfaces. More specifically, the language indicates that, in an embodiment, the plate surfaces are shaped to exhibit a type of rotational symmetry about an axis of rotation through a midpoint. Fig. 1 of the present application shows such plate surfaces of the module connecting plates 24, 25, 26, and 27 with rotational symmetry through a midpoint 8, in which case the axis of rotation extends into and out of the figure illustration (orthogonal to both the main axis 9 and the secondary axis 10). This symmetry of the plate surfaces can easily be seen by holding a printed copy of Fig. 1 and rotating the copy 180 degrees (i.e., so the text is upside-down). In this rotated position, the plate surfaces of the module connecting plates 25 and 27 would be on top, and the plate surfaces of the module connecting plates 24 and 26 would be on bottom. So it can be seen that the plate surfaces of the module connecting plates 24 and 25 are the same shape, and the plate

surfaces of the module connecting plates 26 and 27 are the same shape. Thus, the plate surfaces of the module connecting plates 24, 25, 26, and 27 exhibit the “same plate pattern” in the original position as well as in the rotated position (i.e., rotated 180 degrees about the midpoint 8). Fig. 4 illustrates several more examples of lead frame configurations which have module connecting plates with plate surfaces that have rotationally symmetrical shapes. Therefore, the indicated language of claim 1 is shown in the drawings at least by the illustrations of Figs. 1 and 4. Accordingly, Applicants respectfully request that the objection to the figures be withdrawn.

Claim Rejections under 35 U.S.C. 103

Claims 1-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fritz et al. (U.S. Pat. No. 7,361,976, hereinafter Fritz) in view of Fehrman et al. (U.S. Pat. No. 6,193,163, hereinafter Fehrman). However, Applicants respectfully submit that these claims are patentable over Fritz and Fehrman for the reasons provided below.

Disqualification of Fritz under 35 U.S.C. 103(c)

Fritz should be disqualified as prior art under 35 U.S.C. 103(c) because Fritz only qualifies as prior art under subsection 35 U.S.C. 102(e) and is owned by the same person or subject to an obligation of assignment to the same person. 35 U.S.C. 103(c) states that subject matter developed by another person, which qualifies as prior art only under one or more subsections (e), (f), and (g) of section 102, shall not preclude patentability under section 103 where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In this case, Fritz only qualifies as prior art under 35 U.S.C. 102(e). Fritz was PCT filed on October 31, 2003, and has a PCT publication date of May 27, 2004. Fritz was later filed with the USPTO on May 5, 2005, and has a US publication date of July 20, 2006. In comparison, the present U.S. patent application was PCT filed on August 2, 2004, based on a prior foreign application with a priority date of August 5, 2003. Hence, the priority date of the present application is August 5, 2003, which is before the PCT and US publication dates of Fritz. Accordingly, the disclosure of Fritz was not described in a

printed publication in the U.S. or a foreign country before the priority date of the present application since the priority filing date of the present application is before the publication date of Fritz. Therefore, Fritz does not qualify as prior art under 102(a) since the priority filing date of the present application is before the publication date of Fritz. Similarly, Fritz does not qualify as prior art under 102(b) because there is no evidence that the disclosure of Fritz might have been described in a printed publication in the U.S. or a foreign country more than one year prior to the priority filing date. Additionally, Fritz does not qualify as prior art under 102(c) because there is no evidence that the inventors of the present application might have abandoned the invention. Also, Fritz does not qualify as prior art under 102(d) because there is no evidence that a patent was issued or that an invention certificate was granted to Applicants in a foreign country more than 12 months before the U.S. filing date of the present application.

Furthermore, USPTO records indicate that the inventors of Fritz executed an assignment to Koninklijke Philips Electronics, N.V. on October 14, 2003, prior to the PCT filing date October 31, 2003. Subsequently, an assignment to NXP B.V. was made on April 23, 2008. Additionally, the inventors of the present application executed an assignment to Koninklijke Philips Electronics, N.V. on September 7, 2004, shortly after the PCT filing date of the present application. Subsequently, an assignment to NXP B.V. was made on July 4, 2007. Thus, Fritz was assigned and the subject matter of the present application was assigned, or subject to assignment, to the same legal entity, namely Koninklijke Philips Electronics, N.V.

Therefore, since Fritz meets the requirements of 35 U.S.C. 103(c), Applicants respectfully submit Fritz should be disqualified as prior art for use in the rejections of claims 1-12 under 35 U.S.C. 103(a) based on the proposed combination of Fritz and Fehrman. Upon disqualification of Fritz, Fehrman alone fails to teach all of the limitations of the claims. Accordingly, Applicants respectfully request that the rejections of claims 1-12 under 35 U.S.C. 103(a) based on the combination of Fritz and Fehrman be withdrawn.

CONCLUSION

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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